

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

CHLOE ANNELIESE LUCERO,

Plaintiff,

v.

Civ. No. 18-859 GJF

PEACE HEALTH MEDICAL GROUP, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**  
**TRANSFERRING CASE TO THE DISTRICT OF OREGON**

THIS MATTER comes before the Court on Plaintiff's Complaint for a Civil Case Alleging Negligence, [ECF No. 1], filed September 12, 2018. For the reasons stated below, the Court concludes the District of New Mexico is not a proper venue for this case and **TRANSFERS** this case to the District of Oregon.

The statute governing venue in general states:

**Venue in general.**--A civil action may be brought in—

(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;

(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or

(3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

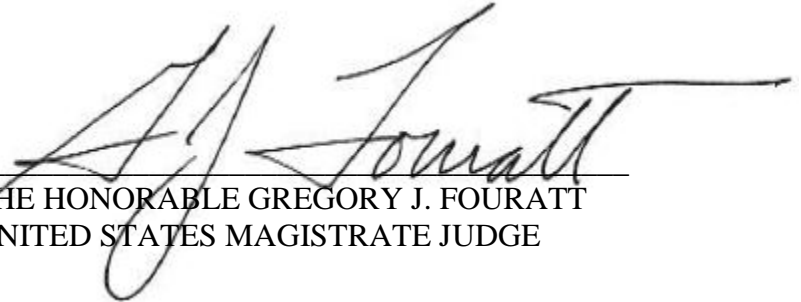
28 U.S.C. §1391(b). “The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.” 28 U.S.C. § 1406(a) (2018).

Plaintiff asserts a claim of negligence against Defendant Peace Health Sacred Heart Medical Center, whose principal place of business is in the State of Oregon, and the other Defendants<sup>1</sup> on the ground that Defendants refused her medical treatment after she was admitted to the emergency room in Springfield, Oregon.

The Court concludes that the District of New Mexico is not a proper venue for this case under § 1391(b), because there are no allegations that a defendant resides in the District of New Mexico or that any of the events or omissions giving rise to the claim occurred in the District of New Mexico. The Court transfers this case to the District of Oregon because the events giving rise to this case occurred in the District of Oregon.

**IT IS ORDERED** that this case is **TRANSFERRED** to the District of Oregon.

**IT IS SO ORDERED.**



THE HONORABLE GREGORY J. FOURATT  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Plaintiff does not identify the principal place of business for Defendant Peace Health Medical Group but gives an address in the State of Washington for a registered agent. Plaintiff does not identify the citizenship of the John Doe Defendants.